

### **Charter Amendment 1 - For Filling Vacancies in Office:**

**Ballot Question:** Do you approve amending Auburndale's City Charter to clarify that a vacancy in the Office of Mayor or Vice Mayor shall be filled by Commissioners from remaining eligible Commissioners as otherwise provided?

- In 2003, an amendment to Section 16 of City Charter was approved allowing the City Commission to elect sitting Commissioners as Mayor and Vice Mayor. However, Section 11, which was not amended at that time, calls for the Commissioners to elect sitting Commissioners for those positions, but only until the next Regular Municipal Election. The current language creates a conflict within the Charter in its present form.

### **Charter Amendment 2 - Setting Time of Regular City Commission Meetings:**

**Ballot Question:** Do you approve amending Auburndale's City Charter to provide that Regular City Commission meetings shall begin at 7:00 p.m., and that anyone shall have access to the Minutes and records thereof?

- The City of Auburndale Charter states the City Commission shall hold not less than two regular meetings during each month in the City Commission Chamber at 7:30 p.m. unless such hour or place shall otherwise be fixed by Resolution or Ordinance.

In 1999, by Resolution No. 99-05, the City Commission changed the meeting time from 7:30 p.m. to 7:00 p.m. For 18 years, the City Commission has met at 7:00 p.m.

- This Section of the City Charter also references "All meetings of the City Commission shall be public and any City elector shall have access to the minutes and records thereof". Chapter 119, Florida Statutes, provides that anyone who asks for those records can get them – not just City electors. This proposed change will mirror the language found in Florida Statute.

### **Charter Amendment 3 - Deleting Power of City Commission to Punish for Contempt:**

**Ballot Question:** Do you approve amending Auburndale's City Charter to delete power of the City Commission to punish for contempt?

- The City of Auburndale Charter states the City Commission has the power to punish any person who may be guilty of contempt of that body while in session, in a sum not exceeding \$20.00 or to imprison such person in the City jail not exceeding 24 hours for each offense. This is an outdated Section of our Charter and removing it would update it with current practice and law.

#### **Charter Amendment 4 - Providing for Election of Candidate Who Receives the Highest Number of Votes Cast:**

**Ballot Question:** Do you approve amending Auburndale's City Charter to provide that the candidate receiving the highest number of votes shall be elected, and that Commissioners elected hereafter shall take office at the first Regular Meeting in December following their election?

- The proposed Amendment to the City of Auburndale Charter, Section 15, would eliminate the need for and cost related to a Run-off Election. The present majority requirement for election requires 50% of the vote, plus one vote. The change suggests that at all elections the candidate receiving the highest number of votes cast for the seat voted upon shall be elected. Historically, the Run-Off Election, which is held one month after the General Election, has a smaller turn out and the same cost of the General Election. It would also be consistent with the cities of Bartow, Frostproof, Lake Wales, Polk City, and Dundee that elect their Commissions with a plurality versus a majority. If approved, this change would take place in the November 2019 Election.
- The other change proposed is that the Commissioner-Elect would take office at the first regular meeting in December following his\her election rather than waiting until January.

#### **Charter Amendment 5 - Providing for Election of Mayor and Vice Mayor at First December Commission Meeting:**

**Ballot Question:** Do you approve amending Auburndale's City Charter to provide that Commissioners elected hereafter as Mayor and Vice Mayor shall take office at the first Regular Meeting in December?

- A Charter Amendment in 2003 allowed the City Commission to appoint a sitting Commissioner as Mayor and Vice Mayor at the first regular meeting January. The proposed Amendment would move the appointments to the December meeting rather than waiting until January.

### **Charter Amendment 6 - Deleting Article VI (Elections):**

**Ballot Question:** Do you approve amending Auburndale's City Charter by deleting outdated provisions regarding elections?

- By law, the City of Auburndale must follow the Florida Election Code. There are some conflicts between our Charter and the Florida Election Code. The proposed Amendment removes Article VI (Elections) entirely, thereby removing the conflict with the Florida Election Code.

### **Charter Amendment 7. - Deleting Article VII (Annexation of Lands):**

**Ballot Question:** Do you approve amending Auburndale's City Charter by deleting outdated provisions regarding annexation of lands?

- Florida Statute Section 171 and our City Land Development Regulations, which were developed in the early 1990's, provide the procedures the City must adhere to when annexing property into the City limits. The proposed amendment to the Charter removes outdated language and a very lengthy legal description, which is no longer a valid legal description. The proposed Amendment removes Article VII entirely and removes conflict with the City's Land Development Regulations and the form of the petition for annexation.

### **Charter Amendment 8 - Changing Title of "Mayor Pro Tem" to "Vice Mayor":**

**Ballot Question:** Do you approve amending Auburndale's City Charter by changing the title of "Mayor Pro Tem" to the title of "Vice Mayor"?

- Our City Charter refers to the Vice Mayor as Mayor Pro Tem. This term comes from the Latin phrase meaning, "for the time being, temporarily or temporary." Currently, the City references the Mayor Pro Tem as "Vice Mayor" rather than Mayor Pro Tem. The proposed Amendment would change the wording to Vice Mayor throughout the Charter.